

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:05CR3144
)	
v.)	
)	
SERGIO HUMBERTO)	TENTATIVE FINDINGS ON
ZAMARRIPA-TORRES,)	DEFENDANT'S OBJECTIONS TO
)	PRESENTENCE INVESTIGATION
Defendants.)	REPORT
)	

The defendant has objected to paragraphs 27, 28, 30, 31, 33, 34, 35, 41, 44, 49, and 77 of the Presentence Investigation Report, including a claim for the safety valve provisions of U.S.S.G. § 5C1.2 and 18 U.S.C. § 3553(f). These objections will require an evidentiary hearing.

The defendant expects to take approximately one-half hour to present his evidence through the defendant's oral testimony, cross-examination of government witnesses and supporting exhibits. The government estimates two hours for its direct examination of witnesses and has identified those expected witnesses.

IT IS ORDERED that the Presentence Investigation Report is found tentatively to be true and accurate, except as to the paragraphs identified above. As to the paragraphs to which objection has been made, an evidentiary hearing will be held at the time of the sentencing. Oral testimony and exhibits will be received as outlined in the Government's Statement of Position Regarding Presentence Investigation Report and the Defendant's Written Statement, Re:

Unresolved Objections to Revised Presentence Report.

Dated June 5, 2006.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge